

IN THE SUPREME COURT OF THE STATE OF TENNESSEE,
AT NASHVILLE

2006-06-20 PM 1:36

PHIL BREDESEN,)
Governor of the State of Tennessee,)

Plaintiff/Appellee,)

v.)

TENNESSEE JUDICIAL SELECTION)
COMMISSION,)

Defendant,)

v.)

J. HOUSTON GORDON, and)
GEORGE T. "BUCK" LEWIS,)

Interveners/Cross Claimants/)
Appellants.)

Case No. _____

(Davidson Chancery

Case No. 06-2275-I(III),

Ellen Hobbs Lyle Presiding)

**PLAINTIFF/APPELLEE'S RESPONSE TO MOTIONS OF APPELLANTS
GORDON AND LEWIS TO ASSUME JURISDICTION, FOR AN EXPEDITED
HEARING, AND TO STAY THE TRIAL COURT'S FINAL JUDGMENT**

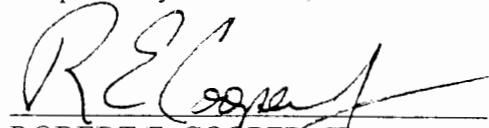
Before this Court are appellants J. Houston Gordon's and George T. Lewis's motions for this Court to: 1) assume jurisdiction over their appeal of the Chancery Court's December 14, 2006, final order pursuant to Tenn. Code Ann. §§ 16-3-201(d)(2), (3), and (4); and 2) suspend the rules of appellate procedure and set an expediting schedule and hearing date. Mr. Gordon has also filed a motion for a stay of the trial court's order.

Because there is a compelling public interest in the swift resolution of this appeal, Governor Bredesen concurs that this Court should exercise its discretion to assume jurisdiction of this case

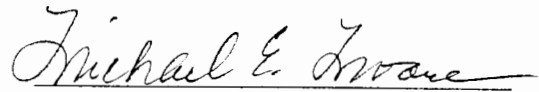
pursuant to Tenn. Code Ann. § 16-3-201(d)(3). With that same interest in mind, Governor Bredesen also agrees that the rules of appellate procedure should be suspended and that an expedited schedule should be set. The Governor, however, suggests changes to appellants' proposed schedule, as follows: brief of appellants to be filed by January 11, 2007, appellee's responsive brief to be filed by January 25, 2007, and any replies of appellants, if necessary, to be filed by January 31, 2007.

As for appellant Gordon's motion to stay the trial court's final judgment, the Governor respectfully submits that the trial court should be permitted an opportunity to address the propriety of a stay in the first instance. *See* Tenn. R. App. P. 7(a).

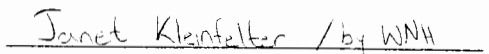
Respectfully submitted,



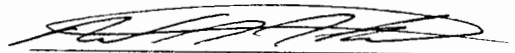
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CERTIFICATE OF SERVICE

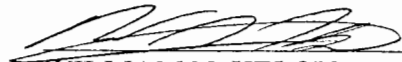
I hereby certify that a copy of the foregoing has been sent by facsimile transmission and by first class U.S. Mail, postage prepaid, to:

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this 28th day of December, 2006.



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